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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,223	06/27/2001	Shane M. Kelton	163.1062USD1	5643

7590 12/15/2004

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EXAMINER

DICUS, TAMRA

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20041214

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Miscellaneous Office Communication:

1. The reply filed on October 29, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not fully responded to the rejection of claims 38-40 and 45-47 under 35 USC 102(b) based upon a public use or sale of the invention as set forth in paragraph nos. 6-7 of the Office action mailed on 10/05/04. Applicant appears to have responded to a 102(b) rejection as anticipated by the disclosure of American Olean Co. CANYON RED tile, however, there is no discussion of a public use or sale of the invention as requested by the Examiner. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a). Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

Rena L. Dye  
SPE: Art Unit: 1774

12/13/04